

# **Committee on Resources**

## **Subcommittee on Fisheries Conservation, Wildlife and Oceans**

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### **Statement**

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**National Audubon Society**

#### **Testimony**

**Before the Committee on Resources**

**Subcommittee on Fisheries Conservation, Wildlife and Oceans**

#### **WILDLIFE REFUGES:**

**Comments on H.R.4442 and the Need for Organizational Changes to Address Major Challenges**

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Mr. Chairman and Members of the Subcommittee:

On behalf of National Audubon Society's one million members and supporters throughout the Americas, I am pleased to be here today to discuss H.R.4442, the National Wildlife Refuge System Centennial Act. This bill would establish a commission to promote public awareness of the Refuge System and require the Secretary of the Interior to prepare and submit a plan to meet the priority operations, maintenance, and construction needs of the System. I will also provide testimony on the need to address the organizational challenges faced by the Fish and Wildlife Service and the merits of our recommendation to establish a separate National Wildlife Refuge Service in the Department of the Interior. In summary:

- As it approaches its centennial in 2003, the National Wildlife Refuge System has much to celebrate. At 93 million acres, the Refuge System remains the largest system of lands in the world set aside primarily for wildlife conservation. The passage of the National Wildlife Refuge System Improvement Act in 1997 gave the System, for the first time, a formal mission to protect wildlife first, and promises to improve planning and management on each of the System's 521 units. The System also has received much-needed increases in appropriations in each of the past three years to address its operations and maintenance needs.
- However, the Refuge System also faces profound challenges, and difficult decisions remain to define the best avenues for improving delivery of the System's many services to the American public. In particular, the Refuge System faces its largest-ever backlog of operations and maintenance needs, with a total cost of about \$2 billion, the System is still largely invisible to the average American, and

the System lacks consistent and focused attention from its leadership.

- The Refuge System also faces difficult organizational challenges. These challenges fall into two categories. First, the Fish and Wildlife Service must attempt to balance a range of competing functions. The Service administers several important programs that have widely differing responsibilities, and throughout its history, the Service has had to reconcile the pressures of changing public values and changing policy priorities with its organizational structure. Second, the Service has been wrestling with how to design their organizational structure to help them deliver services using an ecosystem approach. These two challenges have led the Fish and Wildlife Service to recently announce their second major organizational restructuring in just three years, and if history proves an adequate guide, another restructuring might reasonably be expected to occur shortly after a new administration comes into power.
- H.R.4442 targets two of the Refuge System's major challenges - the \$2 billion backlog of operations and maintenance needs and the System's relative invisibility to the public. The bill is a laudable attempt to celebrate the birth of the world's foremost collection of lands for the protection of birds, wildlife, and their habitats. In particular, the Centennial Commission would provide an appropriate vehicle for delivering a number of high-profile projects that would raise public awareness of the Refuge System. However, we believe that without significant amendments, the bill would not adequately capture an historic opportunity to improve the National Wildlife Refuge System.
- We believe that the long-term plan for meeting operations, maintenance and construction needs is not necessary. As an alternative, we recommend that H.R.4442 be amended to require the Secretary to certify annually that the appropriations requested for operations, maintenance and construction are sufficient to put the Refuge System on track to have its priority needs met within five years.
- We also recommend that this subcommittee amend H.R.4442 to include a provision that would establish a separate National Wildlife Refuge Service in the Department of the Interior as a practical option for addressing the difficult organizational challenges faced by the Fish and Wildlife Service. A separate Refuge Service would confer upon the System, for the long-term, the visibility and focused leadership that it currently lacks and clearly deserves.

### **Challenges faced by the National Wildlife Refuge System**

A survey completed in December 1999 by Public Employees for Environmental Responsibility (PEER) found that 70 percent of Refuge Managers, those charged with responsibility for day-to-day operation of wildlife refuges, think the Refuge System is "headed in the wrong direction." Let us now turn our attention to the major challenges that may be causing the Refuge System to be on the wrong track.

### **Needs for increased funding, better public awareness, and more focused leadership**

The Refuge System has long been regarded a "stepchild" of the federal land systems, and for good reason - it lags far behind national parks and national forests in terms of funding, staffing, and visibility to the general public. The Refuge System is in a serious state of disrepair. With a backlog of \$2 billion in unmet operations and maintenance needs, many wildlife refuges cannot provide basic services such as brochures, maps and restrooms. With only one biologist for every 86,000 acres, the Fish and Wildlife Service is constrained in efforts to detect significant wildlife population declines and disease problems, restore endangered or declining species, and control invasive wildlife and plants. Although progress has been made

recently, with the Congress approving funding increases averaging about \$30 million per year each of the past three years, the backlog continues to grow, extending the list of basic needs going unmet.

At the same time, over three decades of independent study has bemoaned the Refuge System's lack of public visibility. For example, a report published by a Task Force commissioned by the Department of the Interior in 1979 stated that the Refuge System's "current lack of recognition is intolerable. The world's foremost collection of wildlife habitats and wildlands deserves higher public visibility." Limited awareness of the Refuge System leads to less public use of, less public support for, and less public involvement with wildlife refuges across the country.

Progress in improving the public's awareness of the System has been slow. Although the Fish and Wildlife Service has used limited funds creatively to improve visibility through such actions as standardizing the design of their brochures and using a consistent vehicle color, much more needs to be done to improve the public's knowledge of and appreciation for wildlife refuges.

The Refuge System is also in need of more focused leadership. The Chief of the Refuge System is just one of 17 direct reports to the Director of the Fish and Wildlife Service. Although this structure may provide adequate leadership for some Fish and Wildlife Service programs, the Refuge System faces a wide array of difficult scientific, legal and political issues spanning a vast geographic range. To address these issues successfully, the System needs more than one-seventeenth of the attention of its leadership. Compounding the problem, senior leaders of the Fish and Wildlife Service often are trained in the legal, budgetary, policy and planning issues relevant to Service functions other than land management. This particularly has been the case in recent years as the Fish and Wildlife Service has taken on a more regulatory focus.

## **Organizational challenges**

The Refuge System also faces serious organizational challenges. These challenges fall into two categories. First, the Fish and Wildlife Service must attempt to balance a range of competing priorities. Second, they are attempting to find the best way to manage the System consistent with congressional mandates.

## **Competing priorities**

Let us turn first to the issue of competing priorities. The Fish and Wildlife Service is charged with managing a range of wildlife-related programs, from managing national fish hatcheries to administering the Endangered Species Act. These programs have fundamentally different responsibilities such as regulatory actions, professional services such as expert scientific advice and technical assistance, and management of the 93-million-acre Refuge System.

Over the years, the Fish and Wildlife Service has experienced a number of reorganization efforts aimed fundamentally at reconciling conflicts among its competing functions. For example, in 1940, the Service viewed itself principally as a research and refuge-managing agency with a pronounced conservation-oriented mission. With refuges as the focus, fisheries were perceived to be a low priority. To lift the stature of the fisheries function, in 1956 the Congress bifurcated the agency, creating a Bureau of Commercial Fisheries and the Bureau of Sport Fisheries and Wildlife, both under the larger umbrella of the Fish and Wildlife Service. In 1970, this reorganization trend was brought to its conclusion as the fisheries function was returned to the Commerce Department and merged with the National Oceanographic and Atmospheric Administration, where it became the present National Marine Fisheries Service.

Recently, with the passage of the National Environmental Policy Act in 1969 and the Endangered Species Act in 1973, the Fish and Wildlife Service has been given greater regulatory responsibilities. With the regulatory function as the focus, recent efforts have been made to call attention to other functions perceived to be a low priority, such as federal aid, law enforcement, and management of the Refuge System. Difficult choices remain to determine the organizational structure that would best deliver the appropriate mix of services to the public.

### **Moving toward an ecosystem approach**

The Fish and Wildlife Service also faces another organizational challenge - the need to move toward an ecosystem approach. Over the years, managing federal lands has become more complex. Managers have to reconcile differences among a growing number of laws and regulations, and the authority for these laws is dispersed among several federal agencies and state and local agencies. At the same time, scientists have increasingly improved understanding of the importance and functioning of natural systems, and the boundaries of these systems may not be consistent with existing jurisdictional and administrative boundaries.

To better manage this new legal and scientific complexity and to better coordinate with outside interests, within the past decade the Service has experimented with ecosystem-based organizational structures. The Service has solicited independent consultation on the issue, and implemented a wholesale organizational change - a division of geographic and programmatic authorities in the regional offices. Earlier this year, the Fish and Wildlife Service studied the effects of that change and determined it to be unsuccessful.

In May, the Service announced that this structure had been eliminated, and introduced an entirely new proposal - the creation of ecosystem coordinators in the regional offices. It is unclear exactly what role these new coordinators will have, or whether this recent change will contribute to better implementation of an ecosystem approach. It is clear, however, that the need to move toward an ecosystem approach is presenting organizational challenges that have proven difficult for the Fish and Wildlife Service.

### **H.R.4442 is an appropriate effort, but requires significant amendments**

H.R.4442 is an appropriate effort to celebrate the birth of the world's foremost collection of lands for the protection of birds, wildlife, and their habitats. The bill targets major challenges faced by the Refuge System, including the funding backlog and the need to improve the System's public visibility. In particular, H.R.4442 establishes a commission that will help to address the challenge of low public visibility. By involving a range of outside stakeholders and key congressional representatives who will focus on delivering a concrete plan of action, we believe the commission will provide an appropriate vehicle for delivering projects that will improve public awareness of the Refuge System.

However, we believe that without significant amendments, the bill will not adequately capture an historic opportunity to improve the National Wildlife Refuge System.

### **H.R.4442 should be amended to require the Secretary to certify that refuge funding is on track**

We believe the provision of H.R.4442 requiring a long-term plan for meeting operations, maintenance and construction needs is not necessary. In 1997, the Cooperative Alliance for Refuge Enhancement (C.A.R.E.) prepared just such a plan, which outlines funding targets that would make the Refuge System fully functional by 2003.

The problem is not the lack of a plan. The problem is the lack of a commitment from the Administration to request the funding necessary to meet the Refuge System's priority needs. For example, the President's budget for FY 2001 requests a cut in refuge maintenance funding and the total operations and maintenance request is \$85 million below the level C.A.R.E. recommends. We therefore recommend that H.R.4442 be amended to require the Secretary to certify, each year for the next five years, that the appropriations requested for operations, maintenance and construction are sufficient to put the Refuge System on track to have its priority needs met within five years.

### **H.R.4442 should be amended to establish a separate National Wildlife Refuge Service**

We also recommend that the subcommittee amend H.R.4442 to include a provision that would establish a separate National Wildlife Refuge Service in the Department of the Interior that would focus exclusively on the management and administration of the National Wildlife Refuge System.

As I discussed earlier, the Fish and Wildlife Service faces major organizational challenges as it attempts to balance its many competing priorities and move toward an ecosystem approach, as evidenced by two major organizational changes of the Fish and Wildlife Service in the past three years.

At the same time, it is becoming increasingly clear that the Refuge System is a square peg in a round hole. For example, the Refuge System is fundamentally similar to other major federal land systems yet it is the only major land system not managed independently from other programs in the Department of the Interior. We believe it is time to reexamine the underlying reasons for organizationally positioning the Refuge System so differently from all other federal land systems and to consider the need for organizational change to put the System on equal ground with national parks and other public lands.

We also believe that by establishing an independent National Wildlife Refuge Service, the Congress can seize the best available opportunity to address the major challenges facing the Refuge System and put the System on solid ground for the 21<sup>st</sup> Century.

### **Refuges are fundamentally similar to all other major federal land systems**

Available evidence suggests that the Refuge System is fundamentally similar to other major federal land systems in terms of size, importance and responsibilities. At more than 93 million acres, the Refuge System is the third largest federal land system and is about the size of the state of Montana. Compared to the National Park System, the Refuge System has 140 more land units and 10 million more acres. Refuges also protect more than twice as many endangered species as our national parks, and protect a similar diversity of birds, wildlife and plants and their habitats.

As the General Accounting Office reported in 1996, the responsibilities of the four major land management agencies have grown more similar over time. Most notably, the Forest Service and the Bureau of Land Management now provide more noncommodity uses, including recreation and protection for fish and wildlife, on their lands. This shift has occurred in response to the requirements of environmental laws, such as the National Environmental Policy Act and the Endangered Species Act, as well as their implementing regulations and judicial interpretations. Changing public values and concerns about the management of public lands, along with better ecological information, also have generated pressure to shift the focus from *production* to *protection*.

### **Refuges are fundamentally different from all other Fish and Wildlife Service programs**

While the Refuge System is similar in size to other major land systems and has a similar set of responsibilities, it differs markedly from other Fish and Wildlife Service programs. In particular, the Refuge System is much larger than other Service programs in terms of both funding and staffing, and has fundamentally different responsibilities. For example, in fiscal year 1999, the Refuge System received about half of all funds appropriated to the Fish and Wildlife Service and accounted for about half of the agency's staff resources. The next largest program was the Division of Endangered Species, with only 16 percent of the funds and 14 percent of Fish and Wildlife Service staff.

The Refuge System also has fundamentally different responsibilities than all other Fish and Wildlife Service programs. While the Refuge System has land management responsibilities, other Fish and Wildlife Service programs are regulatory in nature or focus on delivering professional services such as expert biological opinions.

### **The organizational context within which the Refuge System is situated may not be appropriate for a major federal land system**

Despite having a size and set of responsibilities that are fundamentally different from other Fish and Wildlife Service programs, the Refuge System is in a similar position in the agency's organizational structure. Despite having a size and importance that is fundamentally similar to other major federal land systems and increasingly similar responsibilities, the Refuge System is not at all in a similar position within the Interior Department's hierarchy. Instead, the Refuge System is the only major federal land system not managed by an independent bureau.

We believe that these incongruities suggest that it is time for the Congress to reexamine the organizational context within which the Refuge System is situated. Establishing a separate National Wildlife Refuge Service would take a square peg out of a round hole and put the Refuge System in a context that is more appropriate for a program of its size, importance, and responsibilities.

### **Establishing a National Wildlife Refuge Service will address major challenges facing the Refuge System**

By establishing a separate National Wildlife Refuge Service, the Congress can seize the best available opportunity to address the major challenges facing the Refuge System and put the System on solid ground for the 21<sup>st</sup> Century. For example, a higher profile for the Refuge System would lead to greater public awareness, for the long term, of its values and service to the public. Establishing a Refuge Service also will lead to more focused leadership, as the new agency would focus exclusively on management and administration of the Refuge System.

### **An objective and informed plan for implementation of organizational change is needed**

As the General Accounting Office reported in 1995, implementation is critical to the success of any reorganization. No matter what plans are made to reorganize the government, fulfilling the promise of these new plans will depend on their implementation. To ensure effective implementation of our proposed amendment to H.R.4442, we recommend that the provision direct the Secretary of the Interior to contract with the National Academy of Public Administration to obtain objective and informed recommendations regarding the most effective processes and structures for implementing the proposed organizational changes.

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In summary, Mr. Chairman, the Refuge System faces profound challenges as it approaches its centennial in 2003. The System faces its largest-ever backlog of operations and maintenance needs, with a total cost of about \$2 billion, the System is still largely invisible to the average American, and the System lacks consistent and focused attention from its leadership. The Fish and Wildlife Service also faces difficult questions regarding its organizational structure. Although H.R.4442 would appropriately celebrate an important milestone in our nation's efforts to protect birds and wildlife, we believe that substantive amendments are required to seize this historic opportunity to address the major challenges facing the National Wildlife Refuge System. In particular, we recommend two amendments to H.R. 4442:

- 1) The Secretary should be required to certify, each year for the next five years, that the appropriations requested for operations, maintenance and construction are sufficient to put the Refuge System on track to have its priority needs met within five years; and
- 2) A provision should be added that would establish a separate National Wildlife Refuge Service in the Department of the Interior. To ensure effective implementation, this provision should direct the Secretary to contract with the National Academy of Public Administration to obtain objective recommendations regarding implementation of the proposed organizational changes.

Mr. Chairman, this concludes my prepared statement. I will be pleased to answer any questions that you or Members of the Subcommittee may have.

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